

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA**

On July 16, 2020, a detention hearing was held in this matter. In accordance with 18 U.S.C. § 3142(f), the Court finds that detention is warranted as explained below.

First, the Court finds that there is probable cause to believe that defendant committed an offense listed in 18 U.S.C. § 3142(e)(3). Next, the Court finds that defendant has not presented sufficient evidence to rebut the statutory presumption, and detention is warranted on that basis.

While defendant has proposed conditions of release that would rebut the presumption regarding the risk of future nonappearance, he has failed to propose conditions that would mitigate the risk of community danger or risk of witness tampering. Defendant's proposed residence with his parents is not an effective alternative to detention for several reasons, including: defendant lived at this residence while committing the alleged crimes, may have multiple communication devices and or/pathways available, and would not be subject to a structured or effectively monitored environment. While technology such as location monitoring might mitigate the risk of flight, such a condition would not affect the defendant's ability to communicate with potential witnesses, obstruct justice, or communicate with potential new victims.

As such, defendant shall be committed to the custody of the Attorney General or designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. Defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility shall deliver defendant to the United States Marshal for the purpose of an appearance in connection with court proceedings.

Further, defendant shall not knowingly or intentionally have any direct or indirect contact with victims, except that counsel for the defendant, or counsel's agent or authorized representative, may have such contact with such person(s) as is necessary in the furtherance of the defendant's legal defense.

IT IS SO ORDERED.

Dated this 16th day of July, 2020.

/s/ Clare R. Hochhalter
Clare R. Hochhalter
United States Magistrate Judge